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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,931	08/27/2001	Michael L.J. Hackney	C0988/7003 RJP	5177
7590	10/04/2005		EXAMINER	HU, JINSONG
Randy J. Pritzker Wolf, Greenfield & Sacks, P.C. Federal Reserve Plaza 600 Atlantic Avenue Boston, MA 02210			ART UNIT	PAPER NUMBER
			2154	
			DATE MAILED: 10/04/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/939,931	HACKNEY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Jinsong Hu	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 12 August 2005.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-7 and 28-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-7 and 28-30 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Applicant's election with traverse of 1-7 and 28-30 in the reply filed on 8/12/05 is acknowledged. Claims 1-7 and 28-30 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu (US 5,953,005).

4. As per claims 1, 3, 5 and 7, Liu teaches the invention as claimed including a system for synchronizing and serving multimedia content in a distributed network environment the system comprising:

a synchronization server [76a-c, Fig. 1; col. 3, lines 53-64];

a content server [72, 74a-e, Fig. 1; col. 3, lines 35-42];

a plurality of clients, wherein the synchronization server provides a indication of an update to a multimedia resource to the clients, and the content server provides content information to the clients based upon the indication provided by the synchronization server [col. 2, lines 17-33; col. 3, line 65 – col. 4, line 12; col. 5, lines 50-57].

5. As per claim 2, Liu teaches the indication includes location information for an updated multimedia resource [col. 3, lines 43-44].

6. As per claim 4, Liu teaches the distributed events being processed by the synchronization server in the order received by the synchronization server [col. 6, line 51 – col. 7, line 34].

7. Claims 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Richard et al. (US 6,162,060).

8. As per claim 28, Richard teaches the invention as claimed including a computer-implemented virtual course system adapted to a distributed network environment, the course system comprising of a content server providing course-related information [102, Fig. 1; col. 4, lines 25-29]; a plurality of clients adapted to exchange information with the content server [124D-F, Fig. 1; col. 4, lines 49-51]; and a synchronization server [106A-C, Fig. 1]; wherein the synchronization server provides an indication of an update to the

course-related information to the clients, upon which at least one client sends a request for updated course-related information to the content server and the content server provides the updated course-related information to the at least one client in response to the request [col. 4, lines 49-65].

9. As per claims 29 and 30, Richard teaches the course-related information comprises at least information on a virtual whiteboard and at least one of the following: a course catalog, and course instructional materials [col. 6, lines 21-35].

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 5,953,005) as applied to claims 1-5 and 7 above.

12. As per claim 6, Liu teaches the invention substantially as claimed in claim 1. Liu does not specifically teach the shared resource is updated by one of the plurality of clients in real time. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the step of updating the share

resource by one of the plurality of clients in real time because doing so would enable the client share his/her multimedia file with the other people who have the same interest. One of ordinary skill in the art would have been motivated to modify Liu's system with the updating step for increase the dynamic capability of the system.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Fukasawa (US 6,567,844), Boyer (US 5,896,128) and DeMoney (US 6,064,379) disclose sharing multimedia file on-line.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

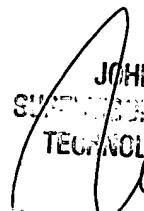
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

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Should you have questions on access to the Private PAIR system, contact the  
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

September 29, 2005

  
JOHN FOLLANSBEE  
SUPPLYING POINT EXAMINER  
TECHNOLOGY CENTER 2100